

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

October 13, 2004

The meeting was called to order at 4:05 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah.

Nicole Cottle completed URMMA training during the pre-hearing.

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Jack Matheson, Karen Lang, Mario Cisneros, and Terri Mills

ABSENT: Paul Nixon, Brent Fuller

WEST VALLEY CITY PLANNING DIVISION STAFF

Kevin Hooper, Steve Pastorik, Jody Knapp, and Lori Cannon

WEST VALLEY ADMINISTRATIVE STAFF:

Joseph Moore, CED Director
Nicole Cottle, Asst. City Attorney

AUDIENCE

Approximately ten (10) people were in the audience.

ZT-10-2004

West Valley City

Amendments to Sections 7-14-213, 214, 215 and 216 of the Commercial Design Ordinance

Mr. Joseph Moore presented the application.

Staff is recommending zoning ordinance amendments to Sections 7-14-213, 214, 215 and 216 of the Commercial Design Ordinance. Attached to the analysis is a copy of the proposed changes. The need for changes was discovered after experience was gained from applying the ordinance to new commercial projects.

For Section 7-14-213, which deals with building relief treatments, three changes are proposed. First, the second option for building relief requires a building projection or offset to be at least 5' in depth. Given recent project reviews, 2' is now recommended as this minimum depth still provides relief, particularly on smaller buildings. Second, the fifth option of building relief requires awnings, associated with windows and/or doors, to be in increments of 10' feet or less in length. The original intent here was to prevent one long, continuous awning. However, the 10' limitation has been found to be too restrictive. By striking the 10' requirement, awnings can be longer to accommodate large windows. The additional sentence and illustration was added to clarify our intent to have separate awnings over each window or door instead of one continuous awning.

The third change to Section 7-14-213(6), as well as the changes to Sections 7-14-214(1)(i) and 7-14-215(7), are simply rewordings recommended by the Legal Department that do not change the effect of the ordinance.

The change to Section 7-14-216 adds standards for drive-through windows. The original ordinance draft recommended for approval by the Planning Commission required a porte-cochere structure over all drive-throughs. Before the City Council adopted this standard, the Planning Commission allowed the drive-through for Starbucks Coffee to incorporate a different design treatment. Hence, the City Council intentionally left this section blank to allow staff time to draft language that would require either the porte-cochere or the design treatment used by Starbucks. The changes proposed to Section 7-14-216 allow both options.

There being no discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Lang moved for approval of the ordinance amendments.

Seconded by Commissioner Mills.

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Absent
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Absent
Chairman Woodruff	Yes

Majority – ZT-10-2004 - approved

ZT -11-2004

West Valley City

Zoning Text Amendment

Mr. Joseph Moore presented the application.

West Valley City's Public Works Department has proposed an amendment to the Subdivision ordinance regarding street lighting. This proposal will require installation of street lighting in conjunction with all new development.

Section 7-19-903 Yard Lights, will be expanded to include the requirement for street lighting meeting the standards established by Public Works. Examples of the streetlights are available along 3600 West between 4100 and 4700 South. Currently these lights are installed but not turned on.

Issues and questions were raised at the study session. The first was a desire to allow several light vendors and multiple options with similar design and appearance. Public works has indicated they want the same light as maintenance and supply of replacement parts is reduced compared to multiple light options. The cities expectation is that the proposed lights will provide a greater efficiency of lighting the sidewalks and street. The reflective attributes of the light fixture are better than the typical "Cobra Head" light fixture.

Currently, Utah Power owns and maintains all of the street lighting. West Valley City desires to purchase all of the currently existing streetlights from Utah Power. The proposal of West Valley City is that the city will own and maintain the entire street lighting and will pay Utah Power for the continued power service. Attached is a copy of the proposed ordinance amendment.

Discussion: West Valley's Engineer, Trace Robinson explained that West Valley would like to switch out the existing streetlights. Chairman Woodruff asked if the lights would have a hood. Mr. Robinson assured there would be a light shield to direct the light downward. He explained two manufacturers sell the type of lights for the proposed poles, which should alleviate the problem of price gouging. Mr. Robinson believes the two companies will bid for the City's business. Commissioner Cisneros asked what the life span of the lights would be. Mr. Robinson replied they would have a ten-year life for the lights, which is what was expected. Commissioner Matheson inquired about maintenance for the bases. Mr. Robinson answered that the current lights have fiberglass bases, which have received very little maintenance since April 2004. If they require replacement, aluminum bases may be utilized, as fiberglass tends to have problems after ten-years. He reminded that this application is not only for purchasing the lights, but also for maintenance. Commissioner Lang asked about the lights at Lake Park, and was told the City will purchase those lights, but power would continue to be provided by Utah Power. Mr. Robinson reported the lights at Lake Park would be repainted with supplied paint. Commissioner Matheson asked if this action would save the City money. Mr. Robinson said yes, as the City pays approximately \$8.00 per light at this time, and it would drop to approximately \$1.00 per light once the City purchased the lights. He indicated bonding would first be required. Mr. Robinson assured higher quality lights would be placed in the City's new subdivisions and old lights would be replaced. Joseph Moore asked if lights would be installed per City standards, which could be modified. Mr. Robinson stated the City's standards could be modified as needed. He mentioned stocking lights will not be required if the type of lights are limited. Mr. Robinson said many different light and pole versions could be created with one light, and banners could also be added easily. Commissioner Mills questioned if the streetlights would be the same as what is required in lighting residential yards. Mr. Robinson replied those are only yard lights, but this application is for streetlights. Commissioner Mills asked about lights placed on garages in conjunction with yard lights. Joseph Moore assured that yard lights have always been required.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for approval of the amendment to the Subdivision Street Lighting Ordinance.

Seconded by Commissioner Cisneros.

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Absent
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Absent
Chairman Woodruff	Yes

Majority – ZT-11-2004 - approved

C-39-2004

Condo Shops, Dale Martinsen
2419 S. Constitution Blvd.
Auto Repair Services
M Zone (1.5 acres)

Mr. Jody Knapp presented the application.

The applicant, Dale Martinsen, is requesting a conditional use for auto repair uses. The zoning for this area is M, manufacturing and the West Valley City General Plan anticipates light manufacturing uses for this area. The surrounding zone is manufacturing.

The site is used for a variety of purposes including auto repair, woodworking, welding and general commercial/personal storage. There are currently three buildings on the site. The applicant owns the building to the northwest, however this application does cover the entire site. The 2 buildings to the north are approximately 2,400 square feet each. The larger building on the property is approximately 15,120 square feet and consists of 28 units that are each 540 square feet. The building to the northwest has 2 service bay doors and then every other unit on site has one.

There are approximately 46 parking spaces on site. Auto uses typically require 3 parking spaces per service bay. The property owner, Sam Spencer, feels that due to the low volume of traffic to this site, that the stalls on site would be enough to handle auto uses in 50% of the building (14 units) including auto uses in the 2 buildings to the north.

- By ordinance, 66 stalls would be required for this mix of uses.
- If the space inside the building were counted as one parking space, and 2 stalls were required outside per auto service bay, 49 stalls would be required.

- With 10 units (30%) approved as auto repair 59 stalls would be required. 46 required with 2 stalls per service bay.

Due to the limited parking on site, it is recommended that no outside storage be allowed at this location. This would include outside storage of vehicles for the auto service uses.

The required landscaping is located along 2700 West, however, four (4) trees still need to be planted here.

Applicant:

Dale Martinez
3830 South 4186 West

Applicant:

Sam Spencer
2419 South 2700 West

Discussion: Commissioner Matheson asked the applicant if business owners sell vehicles on this property after fixing them. Mr. Dale Martinez assured no vehicle sales would be performed, only auto work. Chairman Woodruff questioned if the majority of buildings are used for storage. Mr. Sam Spencer is a co-owner for this property. He said some tenants do body-prep work, but take the vehicles somewhere else for painting. He had questions regarding the reported parking spaces, saying there are 52 parking spaces, including double spaces. Jody Knapp explained double spaces are the same as tandem parking, and are not allowed by ordinance. She had requested a site plan with parking, but has not received one. Mr. Spencer stated Salt Lake County assigned the parking spaces. Jody informed a fire lane is required around the building. Mr. Spencer suggested two parking spaces could be moved to the other side of the building. Chairman Woodruff wanted to know what the uses are inside of the buildings. Mr. Spencer reported there are uses such as automotive, woodworking, welding and storage. He said he receives a check every month, and is not sure how the units are being utilized. Mr. Spencer believes four to five units are being used for storage; three for welding; eight for automotive uses, and five are vacant. He indicated most people work full time and perform work at these units part-time. Mr. Spencer noted only four or five tenants are parked there at anyone time, as this location is not used as a primary business for tenants. Chairman Woodruff estimated 40-50% of the building is for automotive uses. He questioned if parking would be a problem if all bays had fulltime mechanics. Mr. Spencer confirmed that this conditional use approval, if approved, would allow these businesses to obtain business licenses. Chairman Woodruff confirmed that was correct. Commissioner Matheson mentioned the Fire Department might require the building be sprinkled for any automotive uses. Mr. Spencer replied this would be expensive, but he is obtaining bids, noting it would take him ten-years with raised rent, to pay for sprinklers. He is willing to do this if required, and it may allow him to upgrade the type of businesses located in his building. Mr. Spencer reported this building was built 25-years ago as condominiums. There are 30 sidwells on the property, he purchased 28-units, and technically, he could sell all 28-units

to different owners. Chairman Woodruff asked how limited auto uses could be enforced. Jody believes this could be accomplished through monitored business licenses. Commissioner Cisneros perceived outside storage should not be allowed due to lack of parking, and he asked how automotive repair would not store vehicles outside. Commissioner Matheson acknowledged there is already a problem with storage of vehicles. Mr. Spencer informed the Commission that almost all storage problems have been resolved since this application has been initiated. This has resulted in repercussions from tenants due to regulating storage, as his contract requires only inside storage. Mr. Spencer requested the City's Enforcement Department help with this issue. Jody explained if outside storage was allowed, there must be excessive parking, but there is not enough room at this location. Commissioner Cisneros did not think automotive repair of any sort should be performed in this area, with the limited parking issue. Commissioner Matheson stated the applicant is not meeting the minimum required parking spaces, even with shared parking. Commissioner Cisneros worried that one tenant may rent the unit to a business that performs full-time automotive work. Chairman Woodruff reminded it is the owner's responsibility to enforce no additional automotive uses than what is allowed. He believes this could be monitored when they apply for a business license. Commissioner Lang requested having this application brought back to the Planning Commission upon excessive complaints from Ordinance Enforcement. She gave an example of Ordinance Enforcement going to this property many times due to outside storage, and Ordinance Enforcement suggesting having the license revoked due to numerous complaints. Commissioner Lang wants the Commission to review this application if it tends to be a problem, so that the conditional use could be changed to not allow automotive uses at this location. Mr. Spencer believes parking and storage should be differentiated. He stated if someone parks a vehicle during the day, not during the night, it should be considered parking, not storage. If the tenant is rebuilding a vehicle, placing one vehicle in the unit and parking one vehicle outside the unit, it should be allowed as long as the vehicle is not parked outside overnight. Commissioner Lang asked the applicant if the lease should note the tenant could be evicted if they have outside storage. Mr. Spencer assured there would be such verbiage which will be highlighted in the lease, and must be initialed by the tenants. Chairman Woodruff asked if a percentage should be defined for automobile related uses. Jody said yes, a certain percentage could be added to the motion.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Lang moved for approval of the conditional use for condo shops auto repair subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. All West Valley City Fire and Building Department requirements must be met. These guidelines may limit the type of repair allowed on this site.
2. There is to be no outside storage on site, including vehicles.
3. Landscaping must be completed on site, including four (4) trees along 2700 West.
4. All commercial business on site must be licensed by West Valley City.
5. Due to limited parking on site auto sales are not allowed at this location.
6. Allow nine suites to have auto repair businesses in the primary building on site, as well as the northwest building.

Commissioner Lang's motion was not seconded, and did not pass.

Discussion: Commissioner Mills was concerned about the insufficient parking, speculating if the unit might turn into a larger business. Commissioner Lang did not think small two-car garages would warrant large business. Commissioner Cisneros indicated the parking area was too small and may continue to be a problem. Commissioner Lang suggested adding the verbiage "upon valid complaint" to the motion. She said the manager could be selective in determining who to lease out to. Commissioner Mills noted the auto technician would need a place to park, as well as any friends he invites to help him with the vehicles. Commissioner Lang reminded that not all the units are utilized at the same time. Commissioner Mills and Cisneros reported they visited the site and observed many vehicles on-site. Commissioner Cisneros informed that other similar businesses become very crowded with vehicles, regardless of the size of the automobile shop. Commissioner Matheson suggested limiting the automobile use, and asked if advertising has been placed in the units. Jody replied she has not viewed signage on the buildings, and she has not checked in the phonebook. Commissioner Matheson realized this problem has been inherited from Salt Lake County, and he did not want to penalize property owner. He perceived tenants should be able to share parking stalls, as the property would not be full at the same time.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Lang moved for approval of the conditional use for condo shops auto repair subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. All West Valley City Fire and Building Department requirements must be met. These guidelines may limit the type of repair allowed on this site.
2. There is to be no outside storage on site, including vehicles.
3. Landscaping must be completed on site, including four (4) trees along 2700 West.
4. All commercial business on site must be licensed by West Valley City.
5. Due to limited parking on site auto sales are not allowed at this location.
6. Allow nine suites to have auto repair businesses in the primary building on site, as well as the northwest building.
7. Subject to review upon valid complaint from neighbors or West Valley's Ordinance Enforcement Division.

Seconded by Commissioner Matheson.

Roll call vote:

Commissioner Cisneros	No
Commissioner Fuller	Absent
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Absent
Chairman Woodruff	Yes

Majority – C-39-2004 - approved

C-41-2004

Ace Disposal, Matt Stalsburg
2255 S. Arnold Way
Fuel Tank
M Zone (2.93 acres)

Mr. Jody Knapp presented the application.

The applicant, Ace Disposal, is requesting a conditional use amendment (C-18-90) for a fuel tank to be located in a loading dock along an existing building. The zoning for this area is M, manufacturing and the West Valley City General Plan anticipates light manufacturing uses for this area. The surrounding zone is manufacturing.

The applicant would like to install a 12,000-gallon diesel fuel tank on the loading dock area along the south side of the building. The tank dimensions are 6'5" x 33'8". The tank will be protected on all sides by barriers and it sits 4'6" down in the loading dock area. The tank will be used to fuel the garbage trucks for Ace Disposal. They will fill up once a day with an empty load.

There being no discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Lang moved for approval subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. All West Valley City Fire Department requirements must be met.

Seconded by Commissioner Cisneros.

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Absent
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Absent
Chairman Woodruff	Yes

Majority – C-41-2004 - approved

C-42-2004

Jose Alberto Diaz
3612 West 4700 South
Retail Shopping Center
C-1 Zone (.74 acres)

Mr. Jody Knapp presented the application.

The applicant, Jose Alberto Diaz, is requesting a conditional use for a retail shopping center. The zoning for this area is C-1. The West Valley City General Plan anticipates neighborhood commercial uses for this area. The surrounding zone is C-1, and the surrounding use is an additional retail center, the Family Dollar Store.

The building to be constructed is 8750 square feet. There will be seven (7) tenant spaces. The architecture includes block, brick, stucco, and tile roof accents. Due to the layout of the site and the adjacent Family Dollar store, all sides of the building are visible from the street and must comply with the commercial design standards ordinance. This includes adding a pedestrian connection from the building to the public sidewalk.

The landscaping on site exceeds the required 20%. The parking on site meets the ordinance requirements for retail uses, therefore a restaurant would not be approved at this location.

Signage is proposed for the wall space above the awnings. Monument signs have also been proposed for this site. Staff recommends that signage not be allowed to occupy more than 30% of the windows, and there can be no bars on the windows.

Screening is required for all mechanical equipment along the top of the building as well as the dumpster located in the parking lot.

Applicant:
Brett Carter, Developer
6431 South 1940 East

Applicant:
Jose Alberto Diaz
510 No. Redwood Road

Concerned:
Dave Prentic
3611 W. 4650 S.

Discussion: Commissioner Lang wanted to verify the applicant understands that a restaurant, such as a coffee shop or tea shop cannot come in, due to lack of parking. Mr. Brett Carter assured he understands restaurants are not allowed due to parking. He explained the applicant will run his own business out of this center, and is working on acquiring additional tenants. Commissioner Lang asked if the parapet walls would be tall enough to screen equipment on the roof. Mr. Carter assured the parapet walls would be raised high enough to act as a screen. Chairman Woodruff questioned if the color of roof tile would be fire engine red. Mr. Carter indicated the tile would be a red clay color, not

as bright as fire engine red. Chairman Woodruff mentioned this project looked similar to other developments by Mr. Carter. Mr. Carter replied this building would look better than the nearby Family Dollar, and it is located in a different part of town than the other similar looking centers. Commissioner Mills perceived the color schemes for this center do not match existing colors of homes in this area. Mr. Carter answered that modifications could be completed if needed. Jody Knapp reminded the Commission they had viewed a drawing of this proposed center at the past Study Session. Commissioner Mills was concerned that there will not be parking for a restaurant, as a restaurant could enhance this development. Mr. Carter explained the owner felt a restaurant would cut the profitability of the center enough that it would not be worth placing a restaurant at the center. Commissioner Mills perceived a restaurant might be very profitable in the long run. Mr. Carter replied profitability breaks down to what can be leased per square foot. Commissioner Mills wondered if the area had been researched to get a feel as to what may succeed on this property. Mr. Carter did not know if Alberto, the owner, had performed this type of research. Commissioner Lang asked if more brick could be added to match the adjacent ramblers in the neighborhood. Mr. Carter acknowledged brick would be used to break-up the look of the center. Mr. Jose Alberto Diaz owns a driving school and needs to expand it, so he is investing in this project for his business. He plans on having insurance companies located in this building as tenants. Mr. Diaz would like to start with two to four units for his business, expanding as needed, and lease out the rest of the empty units. He believes there is sufficient business interest in this area. Mr. Diaz' current business is in Salt Lake, using a building of approximately the same size as this development. Jody Knapp informed the Commission she was not told a driving school would utilize part of this center. She explained additional parking would be required for the customers, and this use would be similar to a restaurant's parking requirement. Jody noted the City's ordinance quotes how many parking stalls are required, depending on how many students are enrolled in the school. Originally, the parking was determined for retail, but a driving school is not actually a retail use. Commissioner Lang reminded that past driving schools had conditions where students did not drive themselves to the school. Jody stated an approved home occupation had a limit of six students per class session. Chairman Woodruff asked if a sample of the tile roof was available. Jody replied there was no sample available at this time. Chairman Woodruff suggested this application be continued to resolve the parking issues. Mr. Dave Prentice informed the Commission he lives just north of this proposed development. He requested the ground level be adjusted so vehicle lights do not show on his property. Mr. Prentice was concerned about the type of businesses located in this center. He is currently working with the Family Dollar to have site lights turned off after working hours. Mr. Prentice would like lights directed away from homes, indicating this would be reasonable for nearby neighborhoods.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Cisneros moved for a continuance to allow time for the following issues to be resolved:

1. Samples of building materials.
2. Brick enhancements to building elevations.
3. Adjust parking for driving school requirements.

Seconded by Commissioner Matheson

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Absent
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Absent
Chairman Woodruff	Yes

Majority – C-42-2004 - continued

MISCELLANEOUS APPLICATION:

M-8-2004

**Mountain View Corridor Vision Statement
Principals of Agreement and Vision Map**

Mr. Joseph Moore presented the application.

Discussion: Joseph Moore distributed a copy of the Mountain View Corridor Vision Statement, Principals of Agreement and Vision Map to the Commission. He summarized eight principals from the vision statement. Joseph discussed the portions in the resolution noting statements such as the Commission “fundamentally agrees” to this statement; that “we support the other entities in the corridor in trying to achieve this”, that “the Commission supports new and expanded mixed use centers at various places of activities, particularly on 5600 West”; and that “we generally support mass transit”. Joseph explained this has been placed before the Commission to see if Commission would recommend to the City Council the consideration of this material. Commissioner Matheson mentioned high-density zoning is already located in that area, such as the Balmoral Townhomes. Commission Mills mentioned the Balmoral Townhomes are a poor example of attractive townhomes.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Lang moved to approve recommendation of M-8-2004, the Mountain View Corridor Vision Statement to the City Council.

Seconded by Commissioner Cisneros

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Absent
Commissioner Lang	Yes
Commissioner Matheson	Yes, with reservations
Commissioner Mills	No
Commissioner Nixon	Absent
Chairman Woodruff	Yes

Majority – C-42-2004 - approved

PLANNING COMMISSION BUSINESS

Approval of minutes from September 22, 2004 (Regular Meeting)
Approved

There being no further business, the meeting adjourned at 5:30 p.m.

Respectfully submitted,

Lori Cannon, Administrative Assistant